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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To amend the Public Health Service Act to limit the authority of the Department of Health and Human Services to regulate interstate commerce relating to communicable diseases, to amend title 49, United States Code, to limit the authority of the Federal Aviation Administration to regulate air commerce relating to communicable diseases, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BROOKS introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Public Health Service Act to limit the authority of the Department of Health and Human Services to regulate interstate commerce relating to communicable diseases, to amend title 49, United States Code, to limit the authority of the Federal Aviation Administration to regulate air commerce relating to communicable diseases, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Freedom to Fly
3 Maskless Act of 2022”.

4 **SEC. 2. LIMITATION ON QUARANTINE REGULATIONS.**

5 Section 361 of the Public Health Service Act (42
6 U.S.C. 264) is amended—

7 (1) in subsection (c), by striking “Except as
8 provided in subsection (d), regulations prescribed”
9 and inserting “Regulations prescribed”;

10 (2) by striking subsection (d);

11 (3) by redesignating subsection (e) as sub-
12 section (d); and

13 (4) after making such redesignation, by adding
14 at the end the following:

15 “(e) Notwithstanding subsection (a), and subject to
16 subsection (c), nothing in this section authorizes requiring
17 individuals—

18 “(1) to undergo screening, testing, or treat-
19 ment, including vaccination;

20 “(2) to quarantine or isolate; or

21 “(3) to wear face coverings.”.

22 **SEC. 3. LIMITATION ON AIR COMMERCE SAFETY REGULA-**
23 **TIONS.**

24 Section 44701 of title 49, United States Code, is
25 amended by adding at the end the following:

1 “(g) PROHIBITION ON REGULATIONS RELATING TO
2 CERTAIN HEALTH REQUIREMENTS.—

3 “(1) IN GENERAL.—Notwithstanding subsection
4 (a)(5), the Administrator may not prescribe any reg-
5 ulations or minimum standards for safety in air
6 commerce that require an individual to—

7 “(A) undergo screening, testing, or treat-
8 ment, including vaccination, for any commu-
9 nicable disease;

10 “(B) quarantine or isolate as a result of
11 exposure, or potential exposure, to a commu-
12 nicable disease; or

13 “(C) wear a face covering.

14 “(2) DEFINITION.—In this subsection, the term
15 ‘air commerce’ has the meaning given such term in
16 section 40102 but does not include foreign air com-
17 merce.”.